

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN

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In Re:  
JOSEPH A GEMIGNANI SR  
BARBARA A GEMIGNANI

Chapter 13

Debtors

Case No. 2021-25588-KMP-13

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**MOTION AND NOTICE OF MOTION TO DISMISS - CONFIRMED PLAN**

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NOTICE IS HEREBY GIVEN that the Chapter 13 Standing Trustee, Rebecca R. Garcia pursuant to 11 U.S.C. 1307(c), does hereby move the Court for an Order dismissing this case for cause, including;

Material default with regard to a confirmed plan, specifically for the reason that the debtors:

Failed to make the monthly plan payment obligations set forth in the confirmed plan.

Failure to provide the Chapter 13 Trustee with copies of the 2022 income tax returns.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, should you have one in this case. (If you do not have an attorney, you may wish to consult one).

**ANY OBJECTION TO THE RELIEF REQUESTED BY THIS MOTION SHOULD BE IN WRITING SPECIFYING LEGALLY SUFFICIENT GROUNDS WHY THE MOTION SHOULD NOT BE GRANTED AND SHOULD BE FILED WITH THE CLERK OF THE U.S. BANKRUPTCY COURT, ROOM 126, U.S. COURTHOUSE, 517 EAST WISCONSIN AVENUE, MILWAUKEE, WISCONSIN 53202 WITHIN 21 DAYS OF THE DATE OF THE MAILING OF THIS NOTICE. SHOULD AN OBJECTION NOT BE IN COMPLIANCE WITH THESE REQUIREMENTS THE COURT MAY GRANT THE MOTION WITHOUT A HEARING. IF YOU OR YOUR ATTORNEY DO NOT TAKE THESE STEPS, THE COURT MAY DECIDE THAT YOU DO NOT OPPOSE THE RELIEF SOUGHT IN THE MOTION AND MAY ENTER AN ORDER GRANTING THAT RELIEF.**

/s/ Jennifer K. Marchinowski

Staff Attorney

May 17, 2023

<p>Rebecca R. Garcia Chapter 13 Standing Trustee P O Box 3170 Oshkosh, WI 54903-3170 920.231.2150 Fax 920.231.5713</p>
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